

REMARKS

In the Office Action, the Examiner maintained the rejection of claims 1-3, 8-12 under 35 U.S.C. §102(e) as being anticipated by Obradovich (U.S. 2005/0080528). Applicants respectfully traverse. It is respectfully asserted that the present invention is not anticipated by the Obradovich reference.

The Examiner asserted that Applicant has argued that Obradovich does not disclose a vision sensor. Applicant has made this argument only with respect to the keypad entry device disclosed in Obradovich at [0080]. Applicant is not arguing that Obradovich, in general, does not disclose a vision sensor. Applicant is, however, arguing that Obradovich does not disclose a vision sensor as claimed by the Applicant in that the vision sensor is coupled to the vehicle and detects an updated pre-coded vehicle information signal, which signal is then used to update a pre-coded vehicle setting. See paragraph [0007] which states that the vision sensor is coupled to the vehicle body and wirelessly detects a vehicle information signal from an off-board device. Independent claim 1 of the present invention requires wirelessly detecting an updated pre-coded setting signal from an off-board vehicle setting update device. See also paragraph [0023] and Figure 1 of the specification as filed which describes the vision sensor 14, coupled to the vehicle body 16. However, the vision sensor 14 as claimed in the present invention is detecting an "updated" pre-coded vehicle setting signal. It is respectfully asserted that this claimed feature, in association with the vision sensor, is not taught or disclosed in the Obradovich reference.

In Obradovich, a vision sensor, such as a camera, is coupled to the vehicle as described in paragraph [0004] of the reference. However, the camera device is not detecting an "updated" pre-coded vehicle setting signal from an offboard device as claimed in the present invention. The camera device disclosed in Obradovich is capturing road images that are then manipulated and used by the controller to adjust vehicle systems. It is respectfully asserted that road images are not updated pre-coded vehicle setting signals as claimed in the present invention. Likewise, at paragraph [0134], the vision sensor described in Obradovich is receiving video data that is displayed for entertainment within the vehicle, but is not detecting an "updated" pre-coded vehicle setting signal from an offboard device as claimed in the present invention.

In Obradovich, even assuming a bar code reader is used in place of the keypad entry, the bar code reader as described in paragraphs [0081]-[0088] is not wirelessly detecting an

“updated” pre-coded setting signal as claimed in the present invention. The device, vision or otherwise, as described in Obradovich is reading stored data that must be compared to and verified with data stored in memory on the vehicle in order to confirm security access to the vehicle. The bar code reader, or other device disclosed in Obradovich, is not detecting an “updated” pre-coded setting signal as claimed in the present invention.

It is respectfully asserted that any version of a vision sensor that may be described in Obradovich is not detecting an “updated” pre-coded setting signal as claimed in the present invention.

The Examiner has asserted that Obradovich, at paragraphs [0081]-[0088] discloses a vehicle owner who updates the vehicle system using a transmitter that transmits data comprising pre-coded settings for the vehicle. Applicants respectfully traverse. It is respectfully asserted that the Obradovich reference does not teach or disclose that the vehicle owner is updating a vehicle system wirelessly. In Obradovich, the vehicle owner is only gaining access to the vehicle or the accessory in question. Any updating to a pre-coded vehicle setting signal is not accomplished via the security system described in Obradovich. In order to update a vehicle setting, access must be gained by way of the PIN entry, wirelessly or otherwise. It is respectfully asserted that the security measure itself is only detecting a preset code and not an “updated” pre-coded vehicle setting as claimed in the present invention.

In the final Office Action, the Examiner asserted that Applicant argues that there is no wireless detection in Obradovich. Again, Applicants would like to clarify that the distinction is not in the wireless detection alone, but in the wireless detection of an “updated” pre-coded signal as claimed in the present invention. Obradovich is detecting, wirelessly or otherwise, a pre-coded signal that must be verified with a code stored in memory. The present invention is wirelessly detecting an “updated” pre-coded vehicle setting. It is respectfully asserted that this feature is not disclosed in the Obradovich reference.

It is respectfully asserted that the present invention is not anticipated by the Obradovich reference. It is respectfully requested the Examiner withdraw the rejection of the claims under 35 U.S.C. §102.

CONCLUSION

In light of the above remarks, Applicant submits that the claims are in condition for allowance, and requests that the outstanding rejections be withdrawn. A formal Notice of Allowance is requested. If a telephone conference would expedite allowance of the claims, the examiner is invited to telephone Applicants' Attorney at (480)200-2054.

If the USPTO determines that a fee is due, the Commissioner is hereby authorized to charge any fee to Deposit Account No. 06-1510.

Respectfully submitted,

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